

48A C.J.S. Judges § 10

Corpus Juris Secundum | August 2023 Update

Judges

Joseph Bassano, J.D.; Khara Singer-Mack, J.D.; Thomas Muskus, J.D; Karl Oakes, J.D. and Jeffrey J. Shampo, J.D.

I. In General

A. Definitions and Distinctions

2. Judge

§ 10. Judge distinguished from court

[Topic Summary](#) | [References](#) | [Correlation Table](#)

West's Key Number Digest

West's Key Number Digest, [Judges](#)  1

The terms "court" and "judge" are sometimes used interchangeably and synonymously but do not, technically, have the same meaning.

The terms "court" and "judge" are sometimes used interchangeably and synonymously but do not, technically, have the same meaning.¹ A court may properly be defined as a tribunal organized for the purpose of administering justice, while a judge is the officer who presides over that tribunal.² A court is, therefore, an incorporeal, political being which is composed of one or more judges.³

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Footnotes

- 1 Ohio—*In re Ely's Trust Estate*, 92 Ohio L. Abs. 282, 194 N.E.2d 784 (Ct. App. 9th Dist. Lorain County 1963), judgment rev'd on other grounds, 176 Ohio St. 311, 27 Ohio Op. 2d 236, 199 N.E.2d 746 (1964).
- As to the definitions of "courts," generally, see C.J.S., Courts § 1.
- 2 Ohio—*In re Ely's Trust Estate*, 92 Ohio L. Abs. 282, 194 N.E.2d 784 (Ct. App. 9th Dist. Lorain County 1963), judgment rev'd on other grounds, 176 Ohio St. 311, 27 Ohio Op. 2d 236, 199 N.E.2d 746 (1964).
- As to definitions of the term "judge," see §§ 7 to 9.
- Court as place in which justice is judicially administered**
Del.—*Appeal of Brown*, 43 Del. 608, 49 A.2d 618 (Super. Ct. 1946).
- 3 Ohio—*In re Ely's Trust Estate*, 92 Ohio L. Abs. 282, 194 N.E.2d 784 (Ct. App. 9th Dist. Lorain County 1963), judgment rev'd on other grounds, 176 Ohio St. 311, 27 Ohio Op. 2d 236, 199 N.E.2d 746 (1964).
- Exercise of judicial power**
Del.—*Appeal of Brown*, 43 Del. 608, 49 A.2d 618 (Super. Ct. 1946).

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